

Ethics for Wauwatosa Government Officials

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It's a Way of Life



Purpose

“The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be open and transparent; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.”

– Sec. 2.05.010, Wauwatosa Municipal Code



The big picture (why have a code of ethics?)

- Strengthen citizens' confidence in the integrity of governmental officials
- Help preserve the integrity of the governmental decision-making process
- Officials not to profit from holding public office



General Prohibitions

- Influence or Reward
- Private Benefit
- Financial Interest
- Disclosure of Confidential Information



What laws apply?

- Local law: Chapter 2.05, Wauwatosa Municipal Code. *Code of Ethics for City Officials and Employees*
- State law: Section 19.59, Wisconsin Statutes. *Codes of ethics for local government officials, employees and candidates*



Who are “Officials” covered by local law?

- Elected and appointed officials
- Includes board, committee and commission members
- Also covers employees



Who is covered by State law?

- Elected officials
- County administrators and city and village managers
- Individuals appointed for a specified term
- Appointees serving at the pleasure of the governing body or chief executive



Conflict of Interest- Influence or Reward

- Anything of Value
- Reasonably expected to influence action
- Award for action or inaction
- Does not prohibit outside employment
- Does not include items of “inconsequential value” or received independent of official position



State Law: Influence and Reward

- May not solicit or accept
- Anything of value
- If it could reasonably be expected to influence judgment
- Or could reasonably be considered a reward for official action



State Law Exceptions:

- Items received on behalf of the local governmental unit and primarily for the benefit of the governmental unit
- Items unrelated to the individual's holding public office or position



Conflict of Interest – Private Benefit

- May not use public position or office
- To obtain financial gain or anything of substantial value
- For the private benefit of self or immediate family,
- Or for an organization with which the official is associated.



Private Benefit – exceptions and processes

- Campaign contributions acceptable
- Disclose financial interest on the record prior to initial discussion of issue
- Refrain from acting on matter
- Join public if in a public meeting



State Law: Financial Interest

- No official action
- Substantially affecting a matter
- In which the official, a member of his or her immediate family, or an organization with which the official is associated
- Has a substantial financial interest



Confidential Information

- shall not intentionally disclose or use
- confidential information concerning the government
- to gain anything of value
- or to advance a financial, personal, or other private interest



Standards and rules an official has to know!!

- *Don't accept items or services offered to you because of your position*
- *Don't participate in decisions which affect you financially*



Reporting and Enforcement

- Verified written complaints to City Attorney
- Forwarded to the accused official
- Preliminary Investigation
- Complaints against Officials reviewed by Common Council/Government Affairs Committee



Advisory Opinions

- Request from City Attorney, in writing
- Opinions to Government Affairs Committee, names not disclosed, unless applicant consents
- State law: request for opinion from City Attorney is confidential, and is evidence of intent to comply with rules



Enforcement and Penalties - local

- Officials: Common Council determines penalty
- Forfeiture not less than \$100
- Censure, suspension or termination
- Items of value returned or donated to City



Enforcement and penalties - State Law

- District Attorney, Attorney General
- \$1,000 forfeiture
- \$5,000 fine and 1 year imprisonment



Where to get more information

- City Attorney
- State of Wisconsin Ethics Commission

ethics@wi.gov

<https://ethics.wi.gov>

Phone: 608.226.8123

